

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

VOLCON, INC.,
Plaintiff

v.

MARTIN MOTOR SPORTS, LLC,
Defendant

§
§
§
§
§
§

Case No. 1:22-cv-00307-DAE

ORDER

Now before the Court are Plaintiff's Opposed Motion to Compel, filed October 31, 2023 (Dkt. 34); Defendant Martin Motor Sports, LLC's Response to Plaintiff's Opposed Motion to Compel, filed December 15, 2023 (Dkt. 42); and the Notice Regarding Plaintiff's Motion to Compel, filed on this date (Dkt. 43).¹

In the Notice, Plaintiff Volcon, Inc. seeks to withdraw its Motion to Compel from further consideration and action by the Court. Finding good cause therefor, the Court **GRANTS** Plaintiff's request for withdrawal and **DISMISSES** Plaintiff's Opposed Motion to Compel (Dkt. 34) without prejudice to refile.

It is **ORDERED** that the Clerk remove this case from this Magistrate Judge's docket and **RETURN** it to the docket of the Honorable David A. Ezra.

SIGNED on December 19, 2023.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE

¹ By Text Order entered November 2, 2023, the District Court referred the motion to this Magistrate Judge for disposition, pursuant to 28 U.S.C. § 636(b)(1)(A), Federal Rule of Civil Procedure 72, and Rule 1(c) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas.